

NEAR CIVIL WAR IN PORTUGAL

PREMATURE RISING AT OPORTO
SPOILS ROYALIST PLANS.

Thousands of the Plotters Under Arrest—Carbonari Burn Their Houses and Loot Church Property—Guerrilla Bands in the Hills—Vatikan Hostility.

Special Cable Despatches to THE SUN.
LONDON, Oct. 4.—The Daily Telegraph has a despatch from Madrid saying that the censorship makes it impossible to get news direct from Portugal. It summarizes the royalist rising from its inception from news collected from various ports and says that the Portuguese Government knew of the preparations several months ago.

The royalists are credited with smuggling in 12,000 rifles, some cannon and other material which were hidden in the mountains from May to September. Many army officers are said to have resigned and formed monarchist groups, and hundreds of refugees are reported to have crossed the frontier from Spain in August and September and formed important bands of anti-republicans.

A large sum of money collected in Brazil arrived in August and with it several bodies of men are said to have been organized and armed. The monarchists are reported to have been strengthened after the Presidential elections by Republicans and Conservatives, who were disgusted with the radicals and the Carbonari. Commercial, industrial, agricultural interests, the army and capitalists are said to have turned against the Government.

The plan of the rebellion was to capture the villages and small towns north and proceed with a larger plot. The plans were well prepared, but numerous spies among the monarchists led to the imprisonment of suspects throughout Portugal. The monarchists therefore decided to advance the uprising and begin at Oporto.

The Governor was informed and sent soldiers to the Crystal Palace where the monarchists were gathering. A fight ensued, and though it was unimportant 1,000 monarchists were arrested and are now in Lisbon. The Carbonari were left masters of the field. They fired monarchist houses and stabbed and shot several. Finally the troops restored order.

Other collisions occurred at Gaya, Paredes, Ferraria, Paredes and other centres, the carbonari attacking the monarchists. The railways from Oporto and Lisbon to the frontier are cut in many places. Churches, convents, schools and other Catholic institutions have suffered severely at the hands of the carbonari. Strong guards are needed to prevent the burning of the institutions.

Monarchist sympathizers throughout Portugal have been arrested. Not less than 5,000 are now in jail. A small number of monarchists who were armed escaped to the mountains and are carrying on a guerrilla warfare. The police seized large supplies of arms and ammunition in the villages and towns where the royalists were strong and the villages and towns are being occupied by soldiers.

SANTIAGO DE COMPOSTELA, Spain, Oct. 3.—The Ecce Santiago says that at 2 A. M. on Oct. 1 Capt. Paiva de Couceiro, the chief of the Portuguese monarchists, entered Portugal at the head of 4,000 men. He had several quick firing guns and 120 mules.

BADAJOS, Oct. 3.—It is reported that in the Portuguese commune of Santo Tirso the people have risen in favor of the royalists. They are parading the streets waving monarchist flags and cheering for the monarchy. The King and Capt. de Couceiro, an public inscription which recalled the downfall of the monarchy was torn down. The republican inhabitants of the place have fled.

LISBON, Oct. 3.—The Patriarch has received a communication from the Vatican saying that it desires to sever diplomatic relations with the Portuguese republic and asking that the Government withdraw its legation from the Vatican. The Government has undertaken to modify the separation act upon the opening of Parliament with a view to conciliating religious feeling in the northern provinces by conceding some of the Vatican's demands.

LONDON, Oct. 3.—The Portuguese Minister here says that the royalist uprising in Portugal has failed. The Evening News says it understands that the raiders are not supporters of former King Manuel, but of Dom Miguel, Duke of Braganza, the older pretender to the throne.

MAINE'S POWDER EXPLODED.

Several Tanks Recovered From Wreck—To Tow After Section to Sea.

Special Cable Despatches to THE SUN.
BAYANA, Oct. 3.—Several powder tanks from the six and ten gun magazines of the Maine have been recovered. Most of them have been exploded.

It has practically been decided to build a bulkhead across the after part of the wreck and float it away. This will be cheaper than cutting it up and removing it piecemeal.

FEAST FOR THE HONORABLES.

Garden Party and Banquet in Bermuda for Boston's Pride.

Special Cable Despatches to THE SUN.
HAMILTON, Bermuda, Oct. 3.—The Ancient and Honorable Artillery Company of Boston spent the morning in making excursions about the city. This afternoon the acting Governor-General entertained them at a garden party on the Government House grounds.

Tonight there was a banquet in their honor at the Hamilton Hotel.

Chinese Warship at Havana.

Special Cable Despatches to THE SUN.
HAYANA, Oct. 3.—The Chinese warship Hai Chi arrived here from New York today, entering the harbor at 11 A. M. She was escorted past Morro Castle by scores of tugs and smaller pleasure craft loaded to the guards with Chinese.

Rever Salts for New Orleans.

Special Cable Despatches to THE SUN.
HAYANA, Oct. 3.—Gen. Bernardo Reyes, who left Mexico just before the Presidential election, sailed from here today for the United States by way of New Orleans. Eventually he is to go to New York.

J. J. Astors Visit Bermuda.

Special Cable Despatches to THE SUN.
HAMILTON, Bermuda, Oct. 3.—The steam yacht Noma, with John Jacob Astor and his bride on board arrived here this afternoon.

THE "Spencer"

Steam or Hot Water Heater is the only heater made with raised grates and water-jacketed magazine, a unique device that requires coaling but once a day in ordinary weather (twice in severe.)

SPENCER HEATER CO.
N. Y. Office, 501 Fifth Ave., Cor. 42nd St.

INSPECT RAILWAY HOSPITAL.

Misses Morgan and Smith of New York Present Flowers to Paris Institution.

Special Cable Despatches to THE SUN.
PARIS, Oct. 3.—Miss Anne Morgan, daughter of J. Pierpont Morgan, and Miss Gertrude Robinson Smith visited yesterday afternoon the hospital and dispensary of the Society for the Mutual Protection of Railroad Employees. The society has a membership of 50,000 and distributes 1,200 francs, or \$240, a day from its relief fund.

After an inspection of the establishment the visitors sent a present of flowers tied with ribbons representing the French and American national colors. They were cheered by the attendants.

PANIC AT LIBERTE FUNERAL.

President Fallieres Separated From the Cortège at Toulon.

Special Cable Despatches to THE SUN.
TOULON, Oct. 3.—There was a small panic from some unknown cause today during the funeral of the victims of the fire and explosion on the battleship Liberté.

The procession was broken up and President Fallieres became separated from the rest of the paraders. He was carried almost alone from the theatre where the exercises were held until the parade was reformed some distance away.

A battalion of British marines attended the services.

GIVE UP GUNS, BUT NOT BOLOS.

U. S. Officers Worried Over Partial Disarmament in Mindanao.

Special Cable Despatches to THE SUN.
MANTILA, Oct. 3.—Orders have been issued in Mindanao for the disarming of the Moros. They are gradually turning in their guns voluntarily and the Moro chiefs are cooperating with the Government.

While the guns are being turned in it is noticeable that no bolos have been given up, and future trouble is feared. The United States Army officers are preparing to chase the Moro outlaws and suppress brigandage in the province of Mindanao.

DUBLIN'S POOR HUNGRY.

Storm Bread Wagons and Invade the Leading Thoroughfares.

Special Cable Despatches to THE SUN.
DUBLIN, Oct. 3.—Owing to the railway strike the poor in this city are still facing starvation. Hungry crowds fill the back streets and are beginning to invade the main thoroughfares. Bread wagons were attacked all day and their contents stolen by desperate men and women.

The situation is of the most monstrous nature, but the Government so far as can be seen is taking no action.

POLITICS BEFORE MURDER.

Assassin of the Chief Justice of Finland Is Identified.

Special Cable Despatches to THE SUN.
ST. PETERSBURG, Oct. 3.—The name of the assassin of Chief Justice Helsingius of the High Court of Justice at Abo, Finland, who afterward committed suicide, was Bruno Forsstrom. He was an ironmonger's assistant. The motive for the assassination was a political one.

Alfonso Again an Uncle.

Special Cable Despatches to THE SUN.
MADRID, Oct. 2.—The Infanta Maria Theresa, wife of Prince Louis Ferdinand of Bavaria and sister of King Alfonso, gave birth to a daughter today.

SINGER CUT OFF CHILDREN.

Will Leave Singer Stock to Nephews and Housekeeper—House to Her.

The will of John A. Singer, who died at 110 East 177th street on September 24, cuts off a son and a daughter in Chicago and leaves the greater part of his estate, consisting largely of Singer Manufacturing Company stock, in trust for his nephew, William P. Archer, who also gets 250 shares of the stock outright. Joseph S. Archer, another nephew, gets 150 shares, and the late Mr. Singer's wife, Mrs. Charlotte J. Donnelly, the testator's housekeeper, with the house in East 177th street and its contents.

Mr. Singer was a son of Isaac Singer, the inventor of the Singer sewing machine, and was 70 years old at the time of his death. He came here a few years ago from York, Pa., after he had quarrelled with his wife. He had been married to Mrs. Singer and had advertised in 1901 that he would not be responsible for her debts. Later he got an injunction to restrain her from selling 75 shares of Singer stock.

The Weather.

Oct. 4.—A high pressure central over eastern Ontario covered all the country east of the Mississippi valley and the pressure was high to the west of the Rocky Mountains. There was a storm central over northern North Dakota, causing showers and light rain in the Missouri Valley and moderate to heavy rain in the upper Mississippi Valley and over the upper lakes. There was rain in the upper Tennessee Valley also.

It was cooler in the Atlantic States south into the Carolina and in the lower lakes, the Ohio and Tennessee valleys, warmer in the central States and cooler throughout the Rocky Mountain States and westward.

Temperatures were below freezing in Nevada and close to the freezing point in northern New York and New England.

Frosts were reported in Massachusetts, Connecticut and New York.

In this city the day was fair and a little cooler; wind, fresh east to southeast; average humidity, 61 per cent; barometer, corrected to read to sea level, at 8 A. M., 30.27; at 3 P. M., 30.27.

The temperature yesterday, as recorded by the official thermometer, is shown in the annexed table:

WASHINGTON FORECAST FOR TO-DAY AND TO-MORROW.

For eastern New York, local rains to-day or to-morrow, probably to-morrow, with increasing southerly winds; warmer to-morrow.

For New England, increasing cloudiness and slightly warmer to-day; rain to-morrow; warmer in interior of Maine; southerly winds, increasing to night.

For eastern Pennsylvania, local rains and warmer to-day; probably fair to-morrow; increasing southerly winds.

For the District of Columbia and Maryland, unsettled and warmer to-day; fair to-morrow; moderate southerly winds.

For western New York, rain and warmer to-day; brisk to high southerly winds; fair to-morrow.

DON'T KNOW WHAT KILLED HER

VIOLENCE THEORY SCOUTED IN DEATH OF MISS KETCHUM.

Elderly Housekeeper of Girl's School Is Found Dead in Room's Home in Madison Avenue—Analysis Made Discloses Presence of an Alkaloidal Poison.

The body of Miss Anita Martine Ketchum, an elderly woman who had been for seven years housekeeper for the Brearley School for girls at 17 West Forty-fourth street and who was a cousin of Mrs. Edwin Thorne, was found yesterday morning in a bedroom on the third floor of Mrs. Thorne's home at 688 Madison avenue. The autopsy performed by Coroner's Physician Lehane disclosed the first reports that Miss Ketchum had met a violent death, but until a chemical analysis of the contents of her stomach is made Dr. Lehane says he will be unable to determine whether death was due to natural causes or to some drug causing nervous collapse.

After the autopsy Dr. Lehane said that he had found no evidence of organic weakness or of violence. The only possibility that he could consider, he said, was that the chemical analysis would show that Miss Ketchum had swallowed some alkaloidal poison.

Mr. Thorne, who is secretary of the New York Dock Company, president of the Federal Terra Cotta Company and a director and officer in several other business concerns, with an office at 43 Cedar street, had been spending the summer with his family in his country home at Babylon, and only a housekeeper by the name of Petersen and her husband were living in the town house in Madison avenue. Miss Ketchum, who had recently returned to town from Babylon to take up her duties at the Brearley School when it should open on October 5, had a key to the Thorne home, and at the request of her cousin, Mrs. Thorne, she had gone to the Madison avenue house on one or two occasions to look it over and see that everything was right. Her own home had been at the Hotel Maryland, 108 West Forty-ninth street, for several years.

Miss Ketchum left herself in the Thorne house about 7 o'clock on Monday night. She told Mrs. Petersen that she would sleep in one of the spare bedrooms on the third floor, where there was a trunk containing some of her effects. The Petersens heard Miss Ketchum moving around upstairs for some time and then there was no more noise from her room.

When Mrs. Petersen awoke yesterday morning she was somewhat disturbed to see that the inside door of the vestibule opening from the steps was open, though the outside door was locked. She noticed that burglars might have entered the house and hurried upstairs to investigate. When she entered the room occupied by Miss Ketchum she saw Miss Ketchum lying on the floor in her night clothes. A steamer rug was spread on the floor by the side of the bed and on it lay several silver toilet articles which belonged to Miss Ketchum. The door to the room was open and one trunk lay on the floor, but otherwise the room was in no disorder.

The caretaker tried to arouse Miss Ketchum, but could not. Then her husband summoned a policeman, who called to Flower Hospital. Dr. Miller came and found that Miss Ketchum had been dead several hours. When Coroner Helsingius and detectives arrived they discovered marks that might indicate violence on Miss Ketchum's body. There was a small bruise on the throat that was probably caused by the white blouse in the collar of which her night dress was hidden. No odor came from the dresser and a second bottle with a little more than a teaspoonful of colorless liquid in it was in the small bag which Miss Ketchum had brought with her. An empty bottle of diamond-studded watch was found under her pillow. Mrs. Thorne's safe, which stood in the bedroom, had not been tampered with, and the door was locked.

When Mr. and Mrs. Thorne, summoned from Babylon, arrived at their home they had no reason for believing Miss Ketchum had taken her life. She had been in good health, excepting a tendency to insomnia, and when she had left their summer home in Babylon she had been in the best of spirits. Dr. P. R. Bolton of 43 West Forty-eighth street had procured for Miss Ketchum recently. She was a granddaughter of the late Morris Ketchum. The first police report was that she had been murdered. The police went to her room and took a photograph up to the house to take the photograph of the room and of her belongings. The police staff to look for fingerprints. No photographs were taken and no suspicious fingerprints found.

FRANK GOULD LOSES TO EDWIN.

Former Falls to Get Representation on the Cotton Belt Board.

ST. LOUIS, Oct. 3.—Frank J. Gould failed today in his efforts to get R. Lancaster Williams a directorship in the St. Louis Southwestern Railway, or the Cotton Belt Railway, in the election held today. The stockholders' proxies insured the reelection of Edwin Gould as president. The Gould brothers were not in attendance. The Goulds had been in the gain representation in the Cotton Belt road were against his brother's wishes.

The directors chosen are F. H. Britton, John B. Burr and J. M. Brown, of St. Louis; W. G. Galloway, W. H. Taylor, E. T. Jeffrey, Howard Gould, Edwin Gould and Winslow Pierce. James H. Morris and Lawrence Green were dropped. Henry W. Anderson, representing the minority interests, made a statement at the meeting in which he said that the minority stockholders had more than enough proxies to elect their own directors. He said that in the list of proxies there were duplicates in some cases on both sides. To push a contest, he thought, might lead to open litigation, but all the minority wanted was to broaden the representation on the board by the election of an independent. He hinted that in so doing the majority would avoid litigation which might prove embarrassing to both sides.

ALL HANDS TO BLAME.

Syracuse Coroner's Verdict on the Automobile Accident at State Fair.

SYRACUSE, N. Y., Oct. 3.—Coroner George R. Kinne gave out his verdict tonight in the inquiry into the automobile accident at the State fair grounds, on September 16, in which eleven persons were killed and many injured, when Lee Oldfield's racing machine crashed through a fence.

The verdict distributes the blame. It holds that everybody concerned in the accident was at fault and charges negligence to the New York State Fair Commission, the American Automobile Association, Referee A. B. Pardington and the crowd around the fence at the time of the accident. The Coroner says: "I do not find that the driver (Oldfield) his manager or any of the people mentioned were guilty of that careless and reckless disregard of the lives of others which the courts hold to be that degree of culpable negligence which would justify a charge of manslaughter."

Lee Oldfield was released to-night and left for New York.

His Fall From Window Fatal.

George Beasley, 30 years old, of 92 Audubon avenue fell to his death yesterday from the window outside his rooms. He had been removing awnings for the winter and losing his balance fell to the ground.

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The Greatest Collection of Oriental Rugs

IN AMERICA
KENT-COSTIKYAN
Incorporated
8 West 38th Street
Wholesale and Retail.

OVINGTON OFF TO-MORROW.

On Coast to Coast Flight—Experts to Be It in a Shade Over Two Weeks.

Earl Ovington, the aviator, is going to make a try for the Pacific coast. His manager, William Pickens, said last night that Ovington will probably start to-morrow some time from Governors Island and follow the tracks of the New York Central railroad as far as Buffalo, whence he will follow the Lake Shore rails to Chicago. From there he will fly to St. Louis, Kansas City, and with the metals of the Rock Island route as his guide he will soar over El Paso and southern Arizona to Los Angeles.

For his ocean to ocean flight Ovington has two new Queen monoplane all set up and all the parts of another. He was trying out his machines yesterday at Hempstead. The monoplane will be equipped with a 50 horse-power Hendes seven cylinder rotary motor. The equipment will weigh 1,200 pounds, of which 350 pounds will be gasoline. Instead of the name Dragon Fly stenciled underneath the planes the words U. S. Mail will be marked, and each wing and the tailpiece will bear the number 13.

Ovington will carry letters from Postmaster-General Hitchcock of Washington, Postmaster Morgan of New York, and Chief Postal Inspector Dickson of the Eastern division to postmasters along the way. He is the first licensed aeroplane mail carrier on the coast.

A private train of two cars will follow him. It now stands in the New York Central yards and will carry the extra track and the extra car will carry the members of the party, including William McCullough, this banker of 71 Broadway who is financing the trip and is the head of the Queens Aeroplane Company. Ovington ought to make the trip in fifteen to sixteen days, according to his manager, and if he gets there before November 15 he will claim for the Hearst \$50,000 prize for the first coast to coast flight. He is not banking on this, however.

With him he will carry a moving picture camera to take motion snapshots of the Yellowstone Park, buffalo and the crowds that run to meet him. He will run the camera with one hand and the aeroplane with the other.

SUNDAY FLYING INJUNCTION.

Argument on the Motion to Make It Permanent Comes Up Today.

When the motion for a permanent injunction to prevent Sheriff De Mott of Nassau county interfering on Sundays with the most of the Nassau Aviation Company came up yesterday for argument before Justice Garretson in the Supreme Court, Brooklyn, Mr. Potter of Nassau county asked for an adjournment on Sunday, so as to try out Mr. Woodruff's plan for a model Sunday entertainment.

Lawyer Felix Reifschneider opposed the granting of any further adjournment and urged the court not to permit another Sunday to pass without a settlement of the questions at issue. The Sheriff, he said, was impeding the progress of a serious dilemma in the matter of his duty.

Justice Garretson in deciding that the hearing should go on to-day said:

This case ought to be speedily disposed of. There is no necessity for conducting an experiment on Sunday. I know that such a need can be held without violating the Sunday law, which is the basis of this motion. There is nothing novel about the use of aeroplanes in closed fields to which admissions are charged. The question at issue is very ordinary and I know the court are all interested in the development of aeroplanes, but no novel or difficult question is raised on this motion and it is not necessary for you to fly on Sunday to show that it can be done without committing sin. If the adjournment goes over Sunday I'll vacate the injunction.

BAYONNE FELT INJURED.

Vice-President Heater of the Jersey Central Almost Poked Fun at Board of Trade.

Vice-President W. G. Beeler of the New Jersey Central Railroad has sent a reply to the secretary of the Bayonne Board of Trade. Beeler had been asked to sign a resolution adopted by the board protesting because the company failed to designate Bayonne as an advertising folder used for the Elks convention at Atlantic City and showing a map of the road. Various cities, some much smaller, were designated in bold face type on the map, but there was nothing to show where Bayonne was. The board also asked that the company help make Bayonne famous by naming one of its stations after it.

Beeler's reply was that the Standard Oil Company's biggest Eastern plant, in his reply Mr. Beeler states:

When I read in the newspapers of the alleged resolutions I thought it was a joke and I did not think it worth my while to reply. I am, however, a citizen and as an Elk I strike me as being serious in the matter of the advertising folder. I notice that Plainfield, Westfield, Cranford and even the capital of our State, Trenton, have not been designated. I am an official as a private citizen and as an Elk I strike me as being serious in the matter of the advertising folder. I notice that Plainfield, Westfield, Cranford and even the capital of our State, Trenton, have not been designated. I am an official as a private citizen and as an Elk I strike me as being serious in the matter of the advertising folder.

CRAP GAME RAID AT 711.

Inspector Hayes Leads Invaders Into Seventh Avenue Place.

Inspector Hayes, Sergt. Rade and fifteen policemen in civilian togs raided a crap game last night at the appropriate address of 711 Seventh avenue. Instead of using axes one of the detectives followed a player in and once inside opened the door to his colleagues. There were forty men in the place, \$27 in silver and fifty sets of dice.

Edward R. Gill of 355 West Fifth street, who the police say is the proprietor, Edward Lawrence of 248 West Forty-third street, James O'Donoghue of 100 East 17th street, Charles Carney of 231 West Thirty-seventh street and Harry Davis of Forty-second street and Ninth avenue were all locked up in the West Forty-ninth street police station on warrants.

ANOTHER BOMB MAN NABBED

POLICE JUBILANT OVER ARREST OF ANGELO CUCHIRA.

Detectives Capture Alleged Blackmailer After Hot Chase—Screaming Prisoner Protests Innocence After Captors Find Fuse Tied Dynamite on Him.

Detectives Micelli and Cavane, whom all had Italians avoid, saw a man whom they had been watching walking hastily up Second avenue at Fortieth street last night. The man, Angelo Cuchira of 714 Second avenue, threw one frightened glance over his shoulder, saw who was coming up behind him and started to leg it up the avenue for all he was worth. Cavane, in the lead, pounced on him and after a scuffle had him man.

The first thing Cavane did was to feel in Cuchira's pockets, and in his right hand pocket he found two packages, pear-shaped, about five inches long each, wrapped up in brown cloth. From the end of each package twisted a fuse about twenty-five inches long. As soon as Cavane fished out the packages Cuchira flopped on the pavement and began to bellow. The noise brought out everybody in ear shot and the detectives shouldered their man on a car. All the way down to Police Headquarters Cuchira kept up his screaming, protesting that he was innocent and stopping occasionally to tear open his shirt and beat his naked chest until it was red. At intervals he tore his face with his nails, and the noise of his coming could be heard for blocks around Police Headquarters, where he was arraigned, charged with violation of the weapon law.

Inspector Hughes, in charge of the detectives, was greatly tickled over the arrest. Cuchira, he said, was a member of what is known to the Italian sleuths as the "uptown gang," blackmailers who operate on the East Side from Thirtieth street to Fifth street. Recently a group whose name Hughes would not give out has been receiving letters demanding money in the name of the Black Hand, and the inspector thinks that maybe Cuchira, with his pear shaped packages, was on his way to visit the group.

They opened one of the packages and found inside a stick of dynamite with a hole in the middle, to which the fuse led. On one end was a percussion cap.

Cuchira has a long black trail of arrests and evasions of the law behind him. On April 17, 1900, he was arrested by the same detectives that caught him last night charged with attempting to frighten money out of a fellow countryman. He was held for trial, but escaped punishment because of a defect in the papers. In 1908 Cuchira was arrested with two other Italians charged with the murder of Charles Rosano in Scranton. He was discharged for lack of evidence, but the Scranton police asked the police here to watch him and the two others, who also were freed. Shortly after Cuchira's two companions were found guilty of the murder of Ciro Bivone of 512 First avenue and are now serving time for it. Cuchira was not arrested then.

The police think their prisoner was mixed up with a gang that attempted to get money from Gaetano Stierazza, a grocer of 307 East Forty-fifth street. Three members of that gang were caught by Detectives Micelli and Cavane, who went one night last May out on the Willis Avenue Bridge disguised as laborers and grabbed the men as they approached their victim. One of the prisoners caught then, Salvatore Romano, was found guilty of extortion in General Sessions last week and got a minimum sentence of three years. The court advised the grocer to get a revolver and use it if he had to.

SHOOTS HUSBAND AND SELF.

Mrs. Frank A. Nicodemus, Threatened With Divorce, May Die.

Frank A. Nicodemus, an agent for a brewery, married Genevieve Somerville five months ago, and after they had lived together for three months they separated. He is 21 and she a year younger. Both have always lived in The Bronx.

Nicodemus, who has been living with his parents at 820 Dawson avenue since he left his wife, arranged to have a young man from a lawyer's office to serve papers on his wife in a suit for divorce on Monday night. She has been living in East 189th street.

Before Nicodemus started for his office yesterday morning his wife came to see him. They talked very earnestly and then left the house. His brother, George, thought there was something up and followed them. Mrs. Nicodemus wanted her husband to withdraw the suit, but he refused and she became angry. Then she pleaded with him, once going to her knees.

Within a block of the house she suddenly dropped behind her husband and fumbled in a pocket of her dress. George shouted a warning. He was too late. As Nicodemus turned to look back his wife fired three shots with a revolver she had hidden in her dress.

Within a block of the house she suddenly dropped behind her husband and fumbled in a pocket of her dress. George shouted a warning. He was too late. As Nicodemus turned to look back his wife fired three shots with a revolver she had hidden in her dress.

Policeman Bernstein of the Morrisania station didn't wait to wait for an ambulance and he placed the couple in a plumber's wagon, which he grabbed for the purpose. After going two blocks the horse became balky and wouldn't budge. Then a butcher's wagon was employed to take the man and wife to Leubanon Hospital.

It was said there last evening that Mrs. Nicodemus might die, but that her husband had a chance to recover.

LOTZE COMPLAINT DEFECTIVE.

Larceny Charge Against Coal Corporation Treasurer Will Be Heard Oct. 24.

Magistrate McQuade in the West Side court yesterday again adjourned the hearing in connection with the charge of larceny against William G. Lotze of New Haven, Conn., formerly treasurer of the Canadian Coal Corporation, who is accused of the misappropriation of \$8,000 worth of bonds of the concern, this time till October 24 in the Jefferson Market court. This was done after William Traversa Jerome, counsel for Lotze, had attacked the good faith of the complaint made by Frederick P. Shaw of 110 Claremont avenue, president of the concern, under which Lotze was arrested last week. Mr. Jerome said it was indefinite, inadequate and contained only conclusions of law rather than evidentiary fact, and he wanted his client's rights of possible redress properly protected. The lawyer, Emil Fuchs, for the complainants promised to draw up a new complaint.

Judge Henry G. Newton of the Bankruptcy Court in New Haven, Conn., ordered Lotze to court. Lotze is now out in \$2,000 bail. The original bonds were \$10,000. Mr. Jerome told Magistrate McQuade that he had received a letter from Dean Rogers of Yale law school testifying to Lotze's probity.

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at Saks'

¶ Hairlines continue to be a very popular choice. This is due in large measure to the fact that hairline fabrics, inexpressibly neat of themselves, are superlatively neat when tailored. And particularly when we tailor them.

¶ We have a wonderfully representative selection of hairline fabrics, including wide, medium and narrow effects. However, in our personal opinion, the narrow effects are the neatest and most effective, especially in rough chevrot cloths, and made with soft rolling lapels and a suggestion of shapeliness at the waist.

¶ These hairline fabrics come in colored and self stripes on black, brown and blue grounds. And by procuring one of these distinctive hairline fabrics and having it tailored by us, you effect an amalgamation that has no parallel in the current history of clothes.

Saks & Company

Broadway at 34th Street

HAINS IS OUT OF SING SING

SLAYER OF ANNIS GOES TO HIS FATHER'S HOME.

Served Two Years Four and a Half Months of a Minimum Sentence of Eight Years—His Earnings While in Prison Were \$10.87—No